

IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
BETWEEN: -

Claim No: HC11C01444

BARON PRESCOTT OF KINGSTON UPON HULL

Claimant

- and -

(1) NEWSGROUP NEWSPAPERS LIMITED
(2) GLENN MULCAIRE

Defendants

STATEMENT IN OPEN COURT

Counsel/Solicitor for the Claimant

1. In this action for misuse of private information, breach of confidence and harassment, I appear for the Claimant. My learned friend, Michael Silverleaf QC, appears for the First Defendant.
2. The Claimant was the Member of Parliament for Kingston-upon-Hull East from 1970 until his elevation to the House of Lords in June 2010. He has served in many ministerial positions and was Deputy Prime Minister between 1997 and 2008.
3. The First Defendant was the publisher of *The News of the World* newspaper which, until its notorious closure in July 2011, was the UK's biggest selling Sunday newspaper with a very considerable readership in this jurisdiction. It was also published in an on-line version, www.news-of-the-world.com. As is now common knowledge, the Second

Defendant was a private investigator engaged by the First Defendant to carry out various investigative activities. His methods included the unlawful interception of mobile telephone voicemail messages and obtaining information from mobile telephone companies and others by deception, a practice commonly known as 'blagging'.

4. As a result of the Claimant's position in government his activities were considered "newsworthy" by the First Defendant. In 2005 and 2006 the First Defendant published a number of articles about the Claimant in *The News of the World*. At the time the Claimant did not know how the First Defendant could have obtained the information which formed the basis for these articles, which related variously to private matters and to private and confidential government meetings.
5. In 2009, after *The Guardian* published an article indicating that voicemail interception at *The News of the World* had been widespread, the Claimant asked the Metropolitan Police whether their investigations had yielded any information concerning him. The response was that the Claimant was "a person of interest" to the Second Defendant. In 2011 the Claimant was shown a number of documents by the Metropolitan police which strongly suggested that the Defendants had accessed and listened to numerous private telephone messages left by, for or concerning the Claimant.
6. It has emerged from these documents that, from an unknown date until August 2006, the First Defendant, through its journalists, commissioned the Second Defendant to obtain information about the Claimant by unlawfully intercepting telephone messages of the Claimant and of members of staff with whom he communicated. It has become clear that information obtained by the Defendants in this way had then been used in articles published in *The News of the World* in 2005 and 2006.

7. Following this discovery, in May 2011 the Claimant issued legal proceedings against the First and Second Defendants for misuse of private information, breach of confidence and harassment. The First Defendant indicated its intention to defend the claim and duly served a Defence.
8. On 13 December 2011 the First Defendant admitted a list of matters including that it had entered into an agreement with the Second Defendant and paid him hundreds of thousands of pounds to obtain information about specific individuals for use by *The News of the World* journalists and publication in the newspaper. It admitted that certain of its employees were aware of, sanctioned and requested the methods used by the Second Defendant which included the unlawful interception of mobile phone voicemail messages and obtaining call and text data (which methods are known as "phone hacking"); obtaining information by "blagging"; and, in one case, unlawfully accessing emails. It also admitted that the Second Defendant had provided journalists at *The News of the World* with information to enable the said journalists themselves to intercept voicemail messages. The First Defendant accepted that some information unlawfully obtained by the Second Defendant was used to enable private investigators employed by *The News of the World*, including Derek Webb, to monitor, locate and track individuals and place them under surveillance.
9. I am here today to publicly announce that the First Defendant has accepted liability for invasion of privacy and breach of confidence in this matter and agreed to pay damages to the Claimant in the sum of £40,000 together with his legal costs. The First Defendant has also agreed to continue to carry out searches of documents in its possession and to disclose the results to the Claimant so that he can ascertain the

extent of the wrongdoing.

10. Both Defendants have also undertaken not to further access voicemail messages left for or by the Claimant or to publish unlawfully obtained private information about the Claimant.

Counsel for the First Defendant

11. My Lord, on behalf of the First Defendant I confirm everything that [my learned Friend], Mr Tomlinson QC/ Ms Allen has said.
12. The First Defendant is here today, through me, to offer its sincere apologies to the Claimant for the damage, as well as the distress, caused to him by the unlawful accessing of voicemail messages and obtaining confidential information. The First Defendant acknowledges that the information should never have been obtained as it was and that the First Defendant is liable for misuse of private information and breach of confidence.

Solicitor for the Claimant

13. My Lord I ask for leave to withdraw the record.



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Hugh Tomlinson QC/ Tamsin Allen for the Claimant



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Michael Silverleaf QC for the First Defendant